

RESOLUTION No. 16-146

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

APPROVING THE APPLICANT TO APPLY FOR STATE OF CALIFORNIA, DEPARTMENT OF PARKS AND RECREATION, OFF-HIGHWAY VEHICLE (OHV) GRANT FUNDS APPLICATION YEAR 2015-2016

WHEREAS, the people of t e State of California have enacted the Off-Highway Motor Vehicle Recreation Act of 2003, which provides funds to the State of California and its political subdivisions for Operations and Maintenance, Restoration, Law Enforcement, and Education and Safety for off-highway vehicle recreations; and

WHEREAS, the Off-Highway Motor Vehicle Recreation Division with the California Department of Parks and Recreation has been delegated the responsibility to administer the program; and

WHEREAS, procedures established by the California Department of Parks and Recreation require the Applicant's Governing Body to certify by resolution the approval of the application to apply for Off-Highway Motor Vehicle Grant funds; and

WHEREAS, this project appears on, or is in conformance with this jurisdiction's adopted general or master plan and is compatible with the land use plans of those jurisdictions immediately surrounding the Project;

NOW, THEREFORE, BE IT RESOLVED, that the Nevada County Board of Supervisors hereby:

1. Approves the filing of an application(s) for an Off-Highway Vehicle Grant or Cooperative Agreement; and

2. Certifies that this agency understands its legal obligations to the State upon approval

of the grant; and

3. Certifies that this agency understands the California Public Resources Code requirement that acquisition and development projects be maintained to specific conservation standards; and

4. Certifies that the project will be well-maintained during its useful life; and

5. Certifies that this agency will implement the project with diligence once funds are available and the Applicant has reviewed, understands, and agrees with the Project Agreement; and

6. Certifies that this agency will provide the required matching funds (as applicable);

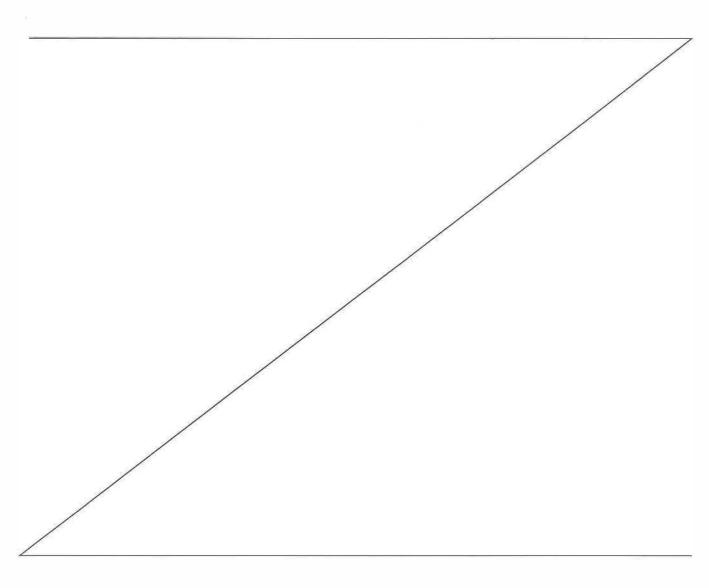
and

7. Certifies that the public and adjacent property owners have been notified of this

project (as applicable); and

8. Appoints the Nevada County Sheriff as agent to conduct all negotiations, execute and submit all documents including, but not limited to applications, agreements, amendments, payment requests and so on, which may be necessary for completion of the Project.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Nevada County Sheriff's Office will obtain the Board's approval for acceptance of this grant for Fiscal Year 2016/2017 if awarded.



PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the <u>12th</u> day of <u>April</u>, <u>2016</u>, by the following vote of said Board:

Ayes:

Supervisors Nathan H. Beason, Edward Scofield, Dan Miller,

Hank Weston and Richard Anderson.

Noes:

None.

Absent:

None.

Abstain:

None.

ATTEST:

JULIE PATTERSON HUNTER Clerk of the Board of Supervisors

Ву:

Dan Miller, Chair

4/1**2**/2016 cc:

Sheriff* AC*

Law Enforcement Needs for Grants and Cooperative Agreements Program - 2015/2016 3/7/2016 Agency: Nevada County Sheriff's Office Application: Law Enforcement

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ITEM 1. Proposed Project

The Nevada County Sheriff's Office services the unincorporated areas of Nevada County which include all of the federal lands in Nevada County. The federal lands include the Tahoe National Forest to the East of Nevada City and Bureau of Land Management lands to the North and Southeast of Nevada City. Large tracts of private lands are interspersed within the public lands.

In the Tahoe National Forest lands within Nevada County there are 80 miles of designated motorized OHV trails and 68 miles of OSV trails, There are six dedicated OHV/OSV trailheads/staging areas serving the eastern part of Nevada County. They are located at Bear Valley, Indian Springs, Rattlesnake Mountain, Meadow Lake, Prosser Hills and Little Truckee Summit. There is one dedicated OHV area located at Prosser Pits and one high OHV/OSV use area located at Boca Reservoir.

In Western Nevada County there is one dedicated OHV trailhead located at Chalk Bluff. There are six high use OHV areas that include Greenhorn Creek, Steephollow Creek, Jackass Flats, Deadman's Flat, Auburn Road, and Town of Washington areas.

This project will allow the Nevada County Sheriff's Office to positively impact OHV/OSV problems ranging from registration violations to fatal collisions. We will contact OHV/OSV enthusiasts, educate and take enforcement action when and where necessary to ensure that all OHV/OSV are properly operated as required by law. This will include those vehicles brought into our county from out of the state that are not properly permitted as required by 38087.5 CVC. We will increase the level of safety and fire prevention by enforcing equipment violations ensuring OHV's are properly fitted with spark arrestors. We will have a positive impact on the number of injuries and deaths caused by riders not being properly equipped with helmets, operating ATV's with more than the one person on board unless equipped to do so and minors operating ATV's without proper safety certification or supervision. We will aggressively seek to educate and enforce egregious violations of unsafe operation including speed and reckless operation. We will make contact with those OHV/OSV enthusiasts who trespass on private property and reduce the problem through a program of education and enforcement. We will patrol and make education and enforcement contacts relative to complaints of noise, dust and other disturbances.

We will work in conjunction with USFS and BLM law enforcement officers to meet our common goal of educating OHV/OSV enthusiasts and enforcement of OHV/OSV violations.

ITEM 2. Project Coverage

The area to be patrolled is located primarily to the east of Nevada City. This area extends to the Nevada State line with the exception of Deadman's Flat and Auburn Rd which is located west of Nevada City. This area encompasses approximately 508 square miles. This area includes all of the USFS lands and the majority of the BLM lands in Nevada County. The public lands to be patrolled total 267 square miles.

ITEM 3. Describe the frequency of the patrols

Routine patrols will be conducted in the Chalk Bluff, Greenhorn Creek, Steephollow Creek, Auburn Road, Jackass Flats, Deadman's Flat, Town of Washington, Prosser Hills, Little Truckee Summit, Prosser Pits and Boca Reservoir areas.

With the closure of the majority of the Greenhorn Creek area to OHV use, an increased amount of OHV use has been noted along the I-80 and Hwy 20 corridors in the Bear Valley, Bowman Lake, Indian Springs and Rattlesnake Mountain areas. The designated and undesignated trailheads in these areas provide access to a large portion of the trails and forest system roads within Nevada County. Another area with increased OHV activity due to the closure is the Steephollow Creek area to the Southeast of Greenhorn Creek. Patrols in these areas will need to be increased to provide proper

Law Enforcement Needs for Grants and Cooperative Agreements Program - 2015/2016 3/7/2016 Agency: Nevada County Sheriff's Office Application: Law Enforcement

enforcement regarding trespassers, vandalism, and promiscuous shooting problems;

Extra patrols will be conducted on high use weekends such as Memorial Day, Independence Day, Labor Day and Martin Luther King Day.

As problematic OHV/OSV use areas are identified they will receive increased patrols.

Current OHV patrols are conducted on weekends and consist of two (2) units. Generally, one unit will handle Western Nevada County, while the second patrols the East side of the County. Staffing levels will ultimately dictate the frequency of patrols. Adjustments to these patrols will be adjusted as needed to cover the more problematic and high use areas.

ITEM 4. Deployment of Personnel

A Sergeant will be assigned to oversee the project and will periodically patrol with Deputies to evaluate performance and safety procedures. The Sergeant will evaluate complaints related to OHV/OSV activity and determine the appropriate action to resolve these complaints.

Two Deputies will be deployed via OHV/OSV or patrol vehicle for patrol activities. Deputies will work eight to ten hour shifts while on patrol and vary the start times to provide the best service to the OHV/OSV community.

An accountant will be assigned to assist with budget expenditure tracking and billing.

District and County Information

A. California State Senate Districts

Select one or more of the California State Senate Districts where the proposed project activities will occur. Copy and Paste the URL (http://www.legislature.ca.gov/legislators_and_districts/districts/districts.html) in your browser to determine the State Senate district(s).

☐ State Senate 02	State Senate 03	State Senate 04	State Senate 05
State Senate 07	State Senate 08	☐ State Senate 09	「State Senate 10
☐ State Senate 12	☐ State Senate 13	State Senate 14	☐ State Senate 15
State Senate 17	☐ State Senate 18	State Senate 19	State Senate 20
State Senate 22	State Senate 23	State Senate 24	State Senate 25
T State Senate 27	State Senate 28	☐ State Senate 29	State Senate 30
1 State Senate 32	☐ State Senate 33	State Senate 34	☐ State Senate 35
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B. California State Assembly Districts

Select one or more of the California State Assembly Districts where the proposed project activities will occur. Copy and Paste the URL (http://www.legislature.ca.gov/legislators_and_districts/districts/districts.html) in your browser to determine the State Assembly district(s).

State Assembly 01	State Assembly 02	State Assembly 03	State Assembly 04	State Assembly 05
☐ State Assembly 06	State Assembly 07	☐ State Assembly 08	☐ State Assembly 09 ☐	State Assembly 10
State Assembly 11	State Assembly 12	State Assembly 13	State Assembly 14	State Assembly 15
State Assembly 16	State Assembly 17	State Assembly 18	State Assembly 19	State Assembly 20
State Assembly 21	State Assembly 22	State Assembly 23	☐ State Assembly 24 ☐	State Assembly 25
State Assembly 26	State Assembly 27	☐ State Assembly 28	☐ State Assembly 29 ☐	State Assembly 20
State Assembly 31	State Assembly 32	State Assembly 33	State Assembly 34	State Assembly 35
☐ State Assembly 36	State Assembly 37	State Assembly 38	☐ State Assembly 39 ☐	State Assembly 40
	State Assembly 42	State Assembly 43	☐ State Assembly 44 ☐	State Assembly 45
State Assembly 46	State Assembly 47	State Assembly 48	☐ State Assembly 49 ☐	State Assembly 50
State Assembly 51	State Assembly 52	State Assembly 53	State Assembly 54	State Assembly 55

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D. Coun	ntv							
	Select one or more	of the Cali	ifornia Co	ounties where the p	proposed project a	ctivities wil	occur.	
	Alameda	☐ Alpine		T Amador	Butte	Calav		Colusa
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	√ Imperial	Inyo		Kern	☐ Kings	Lake		Lassen
	☐ Los Angeles	☐ Made	ra	Marin	「Mariposa	Mend	ocino	☐ Merced
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Application: Law Enforcement

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LE Certification

1. Identify areas with high priority law enforcement needs because of public safety, cultural resources, and sensitive environmental habitats, including wilderness areas and areas of critical environmental concerns:

The Greenhorn Creek, Chalk Bluff and Steephollow Creek areas have historically been a high use OHV area seeing many OHV enthusiasts each weekend. With the closure of Hanson Brothers and BLM properties in the Greenhorn Creek area, there will be increased intrusions onto public and private lands that have been traditionally closed to OHV use.

The Steephollow Creek area located to the southeast of Greenhorn Creek has seen an increase of OHV use due to the Greenhorn Creek closures. The public lands surrounding Steephollow Creek are managed by the BLM and are closed to OHV use. Nevada Irrigation District and private land owners are experiencing intrusions onto their private lands that are also closed to OHV use.

The Boca Reservoir, Prosser Reservoir and the Interstate 80 corridor areas have a high percentage of OHV enthusiasts from out of state utilizing the area. There will continue to be a large number of OHV/OSV's without Non-resident Special Operating Permits or registration from their states.

- 2. Describe how the proposed Project relates to OHV Recreation and will sustain OHV Recreation, motorized offhighway access to non-motorized recreation, or OHV Opportunities associated with the Project Area:
 - By coupling aggressive education with enforcement activities this project will allow safe OHV/OSV opportunities in Nevada County. The project will help reduce the number of OHV/OSV complaints directed towards federal land agencies by neighboring private landowners which will help reduce potential public land closures to OHV/OSV recreation. The projects will also ensure that out of state OHV/OSV users comply with California's laws and standards of safe OHV/OSV operation.
- Describe the Applicant's formal or informal cooperation with other law enforcement agencies:
 The Nevada County Sheriff's Office works with the USFS, BLM and State Parks on a mutual aid basis.

Additionally the USFS contracts with the Nevada County Sheriff's Office for additional law enforcement coverage during the summer months. One deputy is assigned to patrol the USFS Lands within Nevada County.

Around the Martin Luther King Day weekend, the Nevada County Sheriff's Office and the USFS work together during the annual three day OHV Winter Fun Fest gathering held at the Nevada County Fairgrounds.

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4. Does the Applicant recover a portion of the law enforcement costs directly associated Yes in Now with privately sponsored OHV events where sponsors have obtained a local permit?

Explain

The privately sponsored OHV/OSV events in Nevada County obtain their use permits through the USFS. The Nevada County Sheriff's Office receives no funds from these events.

- 5. The Applicant agrees to implement a public education program that includes information @ Yes on safety programs available in the area and how to report OHV violations?
- 6. Describe the Applicant's OHV law enforcement training program including how the training program educates personnel to address OHV safety and natural and cultural resource protection:

The Nevada County Sheriff's Office conducts hands on training for deputies on OHV/OSV operation and safety as needed. The training is currently provided for select deputies and specialized teams. Briefing training is provided for all deputies on vehicle code sections pertaining to OHV/OSV operation and enforcement. Additionally selected deputies will be sent to OHV Enforcement Training provided by the California State Parks OHV Program. Natural and cultural rescource protection is addressed in OHV enforcement training.

LE Certification for Grants and Cooperative Agreements Program - 2015/2016 Agency: Nevada County Sheriff's Office Application: Law Enforcement

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7.	Is the proposed project in accordance with local or federal plans and the OHMVR	Yes Yes	P No
	Division Strategic Plan?		

 LOCAL AGENCIES ONLY - Describe the Applicant's policies and/or agreements regarding enforcement on federal land:

The Nevada County Sherff's Office enforces all local and state laws on public lands within it's jurisdiction pursuant to a memorandum of understanding with Federal Agencies.

9. COUNTIES ONLY - Describe how the OHV in-lieu of tax funds are being used and whether the use of these fees complements the Applicant's project:

The Nevada County Sheriff's Office uses its in-lieu of tax funds for OHV/OSV enforcement during daily operations, These operations include, patrols in high use areas, designated areas as well as areas of ingress and egress. These patrols are done in marked Sheriff 4x4 vehicles, on quads, snowmobiles and at times on fool. A portion of these funds will be used as matching funds for these fisted patrols related to this project.

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10. APPLICANTS WHO MANAGE OHV RECREATION FACILITIES - Describe how your organization is meeting its operation and maintenance needs:

The Nevada County Sheriff's Office does not manage any OHV Facilities.

11. The Applicant agrees to enforce the registration of OHVs and the other provision of	6	Yes	T.	No
Division 16.5 commencing with Section 38000 of the vehicle code and to enforce other			1	
applicable laws regarding the operation of OHVs?				

Project Cost Estimate for Grants and Cooperative Agreements Program - 2015/2016 Agency: Nevada County Sheriff's Office Application: Law Enforcement

Project Cost Estimate

	FOR OFFICE USE ONLY:	Version #	APP #	19
APPLICANT NAME:	Nevada County Sheriff's Office			
PROJECT TITLE :	Law Enforcement	W 10 - 10 - 10 - 10 - 10 - 10 - 10 - 10	PROJECT NUMBER (Division use only):	\$15-03-16-L01
PROJECT TYPE :	✓ Law Enforcement	Restoration	Education & Safety	Acquisition
PROJECT TIPE;	Development	Ground Operations	Planning	€
PROJECT DESCRIPTION S	federal lands include the Tahoe I City. Large tracts of private lands In the Tahoe National Forest Ian dedicated OHV/OSV trailheads/s Mountain, Meadow Lake, Prosse area located at Boca Reservoir. In Western Nevada County there Steephollow Creek, Jackass Fla This project will allow the Nevad will contact OHV/OSV enthusias required by law. This will include We will increase the level of safe have a positive impact on the nuthe one person on board unless to educate and enforce egregiou enthusiasts who trespass on priveducation and enforcement contents.	National Forest to the East of Nevada are interspersed within the public lar ds within Nevada County there are 80 staging areas serving the eastern parter Hills and Little Truckee Summit. The is one dedicated OHV trailhead local its, Deadman's Flat, Auburn Road, and a County Sheriff's Office to positively its, educate and take enforcement act those vehicles brought into our country and fire prevention by enforcing educate of injuries and deaths caused be equipped to do so and minors operated its violations of unsafe operation including the property and reduce the problem acts relative to complaints of noise, do	miles of designated motorized OHV trails and of Nevada County. They are located at Bear's are is one dedicated OHV area located at Prosted at Chalk Bluff. There are six high use OHV do Town of Washington areas. Impact OHV/OSV problems ranging from registion when and where necessary to ensure that by from out of the state that are not properly perpendicular to the state of the state of the properly riders not being properly equipped with helming ATV's without proper safety certification or ding speed and reckless operation. We will mat through a program of education and enforcements.	to the North and Southeast of Nevada d 68 miles of OSV trails. There are six Valley, Indian Springs, Rattlesnake seer Pits and one high OHV/OSV use Vareas that include Greenhorn Creek, stration violations to fatal collisions. We all OHV/OSV are properly operated as ermitted as required by 38087.5 CVC. Ity fitted with spark arrestors. We will nets, operating ATV's with more than supervision. We will aggressively seek like contact with those OHV/OSV ment. We will patrol and make

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Project Cost Estimate for Grants and Cooperative Agreements Program - 2015/2016 Agency: Nevada County Sheriff's Office Application: Law Enforcement

Line Item	Qty	Rate UOM	Grant Req.	Match	Total
DIRECT EXPENSES					
Program Expenses			NUMBER OF STREET		
1 Staff					
Sergeant Notes: FLSA Overtime for Sergeant for administering the project, oversee Law Enforcement Officers, Grant application, and scheduling.	80,0000	73.430 HRS	5,874.00	0,00	5,874.00
Law Enforcement Officers Notes: FLSA Overtime for Patrol Deputies for proactive OHV patrol as assigned/scheduled by the Sergeant.	500.0000	57.320 HRS	28,660.00	0.00	28,660.00
3. Law Enforcement Officers Notes: From in-lieu funding. Law Enforcement officers engaging in OHV patrols in conjunction/addition to normal patrol opperations.	350.0000	33.870 HRS	0.00	11,855.00	11,855.00
Total for Staff		1	34,534,00	11,855,00	46,389.00
2 Contracts					
3 Materials / Supplies					
4 Equipment Use Expenses			William		
1. Vehicle Operations and Maintenance Notes: Maintenance for patrol vehicles and tow vehicles. These vehicles include 4x4 SUV type patrol vehicles, quads, snowmobiles, sno-cat (if needed), associated traiters and other equipment.	2580,0000	0.575 MI	0,00	1,483.00	1,483.00
5 Equipment Purchases		Span		1	
6 Others					
Total Program Expenses			34,534,00	13,338.00	47,872.00
TOTAL DIRECT EXPENSES			34,534.00	13,338.00	47,872.00

3/7/2016

Project Cost Estimate for Grants and Cooperative Agreements Program - 2015/2016 Agency: Nevada County Sheriff's Office Application: Law Enforcement

	Line Item	-Qty	Rate UOM	Grant Req.	Match	Total
INDIR	ECT EXPENSES					
Indire	et Costs					
1	Indirect Costs					
	1. Adjustments (Rounded)-Contract Administr	80.0000	22.570 HRS	1,806.00	0.00	1,806.00
Total	Indirect Costs			1,806.00	0.00	1,806.00
TOTA	L INDIRECT EXPENSES			1.806.00	0.00	1,806.00
TOTA	L EXPENDITURES			36,340.00	13,338.00	49,678.00

Project Cost Summary for Grants and Cooperative Agreements Program - 2015/2016 Agency: Nevada County Sheriff's Office Application: Law Enforcement

3/7/2016

	Category	Grant Req.	Match	Total	Narrative
DIREC	T EXPENSES				
Progra	am Expenses				
1	Staff	34,534.00	11,855.00	46,389.00	
2	Contracts	0.00	0.00	0.00	
3	Materials / Supplies	0.00	0.00	0.00	
4	Equipment Use Expenses	0.00	1,483.00	1,483.00	
5	Equipment Purchases	0,00	0.00	0.00	
6	Others	0.00	0.00	0.00	
Total I	Program Expenses	34,534.00	13,338.00	47,872.00	
TOTA	L DIRECT EXPENSES	34,534.00	13,338.00	47,872.00	
INDIR	ECT EXPENSES			11.00	
Indire	ct Costs				
1	Indirect Costs	1,806.00	0.00	1,8 6.00	Accounting and contract administration.
Total	Indirect Costs	1,806.00	0.00	1,806.00	
TOTA	L INDIRECT EXPENSES	1,806.00	0.00	1,806.00	
TOTA	L EXPENDITURES	36,340.00	13,338.00	49,678.00	

Environmental Review Data Sheet (ERDS)

ITEM 10 - Indirect Significant Impacts

	FOR OFFICE USE ONLY: Version # APP #				
ITEM 1 and ITEM 2					
	ITEM 1				
a.	ITEM 1 - Has a CEQA Notice of Determination (NOD) been filed for the Project?	C	Yes	(N o
	ITEM 2				
b.	Does the proposed Project include a request for funding for CEQA and/or NEPA document preparation prior to implementing the remaining Project Deliverables (i.e., is it a two-phased Project pursuant to Section 4970.06.1(b))		Yes	۲	N 0
ı	ITEM 3 - Project under CEQA Guidelines Section 15378				
C.	ITEM 3 - Are the proposed activities a "Project" under CEQA Guidelines Section 15378?	_	` Yes	(~	N 0
d.	The Application is requesting funds solely for personnel and support to enforce OHV laws a ensure public safety. These activities would not cause any physical change in the environm or a reasonably foreseeable indirect physical change in the environment and are thus not a "Project" under CEQA.	ent,	Yes	ŕ	N 0
e.	Other. Explain why proposed activities would not cause any physical change in the environment foreseeable indirect physical change in the environment, and are thus not a "Project" under complete ITEMS $4-10$.			-	
I	ITEM 4 - Impact of this Project on Wetlands				
ITEM 5 - Cumulative Impacts of this Project					
ı	ITEM 6 - Soil Impacts				
ı	ITEM 7 - Damage to Scenic Resources				
ı	ITEM 8 - Hazardous Materials				
	Is the proposed Project Area located on a site included on any list compiled pursuant to Sec 65962.5 of the California Government Code (hazardous materials)?	ction (Yes	\subset	N o
	If YES, describe the location of the hazard relative to the Project site, the level of hazard and taken to minimize or avoid the hazards:	d the me	asures	to be	
ı	ITEM 9 - Potential for Adverse Impacts to Historical or Cultural Resources				
	Would the proposed Project have potential for any substantial adverse impacts to historical cultural resources?	or C	Yes	\subset	N 0
	Discuss the potential for the proposed Project to have any substantial adverse impacts to hi resources:	storical o	or cultur	al	

CEQA/NEPA Attachment